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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/677,000	09/29/2000	Adrian William Spender	GB9-2000-0096-US1	2346

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EXAMINER

WANG, LIANG CHE A

ART UNIT	PAPER NUMBER
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2155

DATE MAILED: 09/24/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/677,000

Applicant(s)

SPENDER, ADRIAN WILLIAM

Examiner

Liang-che Alex Wang

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-5 have been examined

Drawings

2. The drawings are objected to because of the following informalities.

- a. Please indicate in Figures 1-3 are "Prior Art" drawings.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(e) as being anticipated by Cohen et al., US Patent Number 6,434,618, hereinafter Cohen.
5. Referring to claim 1 Cohen has taught an method for managing communications between requesters (Col 4 line 66 – Col 5 line 6, see figure 4, item 420 is the requester) and server

Art Unit: 2155

processes (Col 2 lines 22-34, and figure 1-4, the network element could be placed between a requester and a server.) in a data processing network including:

creating a set of dispatcher processes, each having a unique process identifier (Col 8 lines 49-50, Col 2 lines 45-54, a unique ID is assigned to packet header by the dispatch, Col 4 lines 46-48, there is more than one gateway programs, and each associated with a dispatcher, therefore a set of dispatcher processes are created);

associating each of a set of requester processes, which communicate with a server process via a common interpreter process (see figure 4, the network interface which communicate between the requester and the server is viewed as a common interpreter process,) having a single process identifier (Col 8 lines 31-35, mark is viewed as a single process identifier), with a different dispatcher process of said set of dispatcher processes;

for requests sent from any of said set of requester process via said common interpreter process to server process which identifies requester processes using a process identifier, routing said requests via the associated dispatcher process (Col 7 lines 11-38);

at the respective dispatcher process, attaching the unique identifier of the dispatcher process to the request and then forwarding the request to the server process (Col 8 lines 49-56);

responsive to receipt by the dispatcher process of a reply to said request, forwarding the reply to the associated requester process via the common interpreter process (Col 4 lines 33-38).

Art Unit: 2155

6. Referring to claims 4 and 5 claims 4 and 5 encompass the same scope of the invention as that of the claim 1. Therefore, claims 4 and 5 are rejected for the same reason as the claim 1.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen, in view of Bayeh, US Patent Number 6,223,202, hereinafter Bayeh.
9. Referring to claim 2 –3, recites the limitation of a using a Java Virtual Machine including respective Servlet running on a Web server, and Cohen has not taught such limitation using Java Virtual Machine.

However, all the claimed elements, such as JVM, Web server, Web application server, Servlet threads, Web browser are all well known network communication elements in the network communication arts. Bayeh shows a “A Web server that implements a Java virtual machine can be functionally extended using Java “servlets.” (Col 2 lines 27-35), and also teaches dispatchers which communicates with web servers under the virtual machine environment (Col 7 lines 41-59).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to modify the teaching of Cohen such that to use a Java Virtual

Art Unit: 2155

Machine including respective Servlet running on a Web server in his invention because Bayeh has taught a dispatcher which communicates with web servers under the virtual machine environment (Col 7 lines 41-59).

A person with ordinary skill in the art would have been motivated to make the modification to Cohen because having JVM running in Cohen's system would allow the Java programming language to be used in Cohen's invention, and Java is gaining a wide acceptance for writing Web applications, as it is a robust portable object-oriented language defined specifically for the web environment (Col 2 lines 1-26).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (703) 305-8159. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam Hosain T can be reached on (703)308-6662. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.
12. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Application/Control Number: 09/677,000

Page 6

Art Unit: 2155

Liang-che Alex Wang *fw*
September 9th, 2003



HOSAIN ALAM
SUPERVISORY PATENT EXAMINER